

CLINTON COUNTY BOARD
September 16, 2002

The September meeting of the Clinton County Board was called to order by Deputy Mike Burton Monday, September 16, 2002, at 7:00 p.m.

Roll call: Present - Droege, Hitpas, Kehrer, Kloeckner, Lampe, Mensing, Murray, Pingsterhaus, Raymond, Robbins, Sullivan, Craig Taylor, Jack Taylor, Winkler.

The Pledge of Allegiance was recited. All visitors and guests introduced themselves.

MOTION by Hitpas second by Mensing to approve the minutes of the previous meeting as written. **MOTION CARRIED.**

First reading: Michael G. Schumacher - Trustee St. Rose Fire Protection District.

Mike Bowen of Bernardi Securities, was present pertaining to the GO Bond refinancing. The current interest rate on the bonds is 6.52%. With refinancing the new average rate will be 3.63% with a savings of approximately \$15,090.00 to the county. **MOTION** by Jack Taylor second by David Lampe to adopt an ordinance entitled "An Ordinance Authorizing the Issuance by the County of Clinton, Illinois, of General Obligation Self-Insurance Refunding Bonds, Series 2002, to Refinance the County' Portion of Continuing Costs of Establishing a Joint Self-Insurance Program with Other Illinois Counties Pursuant to the IL County Insurance Trust; Fixing the Details of Such Bonds and Levying a Direct Annual Tax to Pay the Interest on and Principal of Such Bonds; and Related Matters." **MOTION CARRIED.**

George Godis of the American Federation of State County and Municipal Employees was present to thank the County for all their help when it appeared that the Correctional Center at Centralia might be closed.

MOTION by Jack Taylor second by John Raymond to increase mileage from 32.5 cents a mile to 36.5 cents a mile. **MOTION CARRIED.**

MOTION by Mensing second by David Lampe to make the increase in mileage effective October 1, 2002. **MOTION CARRIED.**

911 COMMITTEE - The Committee had a meeting with several department heads on the GIS project.

INSURANCE TRUST - Clerk LaCaze said he would be attending a meeting Wednesday morning at the Illinois County Insurance Trust Office in place of Wayne Keifer.

LAKE TASK FORCE COMMITTEE - Zoro Manufacturing Company has informed the committee that they will be delaying their project for at least six months. The Committee recommends going ahead with the road extension project because the road

does need to be extended anyway. Zoro Manufacturing wants the county to hold the property for one year. Board member Winkler suggests a down payment of non-refundable earnest money in the same amount as the road expansion will cost which is \$5,000.00.

UNINCORPORATED AREA IMPROVEMENT COMMITTEE - The Royal Lake sewer project is proceeding. There is a meeting tomorrow evening at 7:00 p.m.

The following committees had no report: Safety, Mental Health, Solid Waste, Agriculture, General Services/Judiciary, Personnel, Liquor, Economic Development

EDUCATION COMMITTEE - At their meeting ROE Superintendent informed them they hope to come up with some type of grant to help young people get into the Education field. There is a real problem with teacher shortages.

RC&D COUNCIL - the next meeting is September 17, 2002 at Mascoutah at 7:30 p.m.

TOURISM COMMITTEE - The assessment from Southwestern Illinois Tourism is \$13,968.56. The City of Carlyle has agreed to pay 70% or \$9,778.16. **MOTION** by Sullivan second by Mensing to pay \$4,190.40 to Southwestern IL Tourism for their services. **MOTION CARRIED.**

ZONING COMMITTEE - There is a meeting with a FEMA representative Wednesday at 3:00 p.m.

LAW ENFORCEMENT/ESDA COMMITTEE - Last month the county received \$31,000 for housing federal prisoners.

ROAD & BRIDGE COMMITTEE - **MOTION** by Craig Taylor second by Sullivan to approve a resolution allowing a permit for the Village of Aviston to place a new water line across CH#8 Aviston Road. **MOTION CARRIED.**

The Health Department conducted a training session on mosquito control.

MOTION by Raymond second by Mensing to award the bid for concrete on CH#11 Walnut Street in Breese to Beelman Ready Mix. **MOTION CARRIED.**

Engineer Mitchell will write the IL Department of Transportation about getting a flashing light installed at the intersection of Route 161 and Shattuc Road.

The railroad crossing at CH#3 Boulder Road will be closed for two days for a new precast concrete crossing. The Bond County line drainage structure should be finished this week.

FINANCE/HEALTH SERVICES - **MOTION** by Jack Taylor second by Lampe to transfer \$5,000 from the General Fund to Juvenile Detention. **MOTION CARRIED.**

MOTION by Robbins second by Mensing to approve the Monthly Budget and Financial Report of the County Treasurer. **MOTION CARRIED.**

The oil check received this month was \$1,715.34. The second distribution of the real estate taxes will be mailed out September 25.

The Committee reported Paulette Evans of Breese Hospital will be conducting a training program for law enforcement, fire departments, nurses, etc. on terrorism threats. The committee will be discussing this with the Health Department. A meeting is scheduled for Wednesday, October 9 at 7:00 p.m.

FACILITIES COMMITTEE - The charge for the T-1 line that is currently serving the County is through the Regional Office of Education's Office and is being increased to \$700.00 a month. **MOTION** by Sullivan second by Raymond to have a wireless internet line installed at an installation charge of \$900.00. The monthly charge will be \$300. **MOTION CARRIED.**

MOTION by Winkler second by Mensing to approve payment of the General Claims. **MOTION CARRIED.**

MOTION by Kloeckner second by Hitpas to approve payment of the General Services Claims. **MOTION CARRIED.**

MOTION by Kehrer second by Kloeckner to approve payment of the Regular Finance Claims. **MOTION CARRIED.**

MOTION by Mensing second by Murray to approve payment of the Jail Finance Claims. **MOTION CARRIED.**

MOTION by Hitpas second by Jack Taylor to approve payment of the Health Department Claims. **MOTION CARRIED.**

MOTION by Jack Taylor second by Raymond to approve payment of the WIC Office Claims. **MOTION CARRIED.**

MOTION by Kloeckner second by Kehrer to approve payment of the County Board Member Claims. **MOTION CARRIED.**

MOTION by Lampe second by Craig Taylor to present a plaque at next month's meeting to Derrick Husmann, a funeral director with Hempen Funeral Homes. Husmann spent two weeks in New York City as a volunteer with the Chief Medical Examiner's Office in connection with the 9-11-01 terrorism attacks. **MOTION CARRIED.**

States Attorney Brandmeyer reported that Walter Rockeman had been given 45 days to clean up his property in New Memphis and it has not been cleaned up satisfactorily.

This has been going on since October of last year. Brandmeyer wants to get an estimate from a salvage company. After discussion, Chairman Pingsterhaus said this had been voted on previously giving the Committee authority to solicit bids.

Linda Mensing, Supervisor of Assessments, asked the Board for approval to have a grant application written for the GIS program. The cost of writing the application will be \$3,000.00. The cost of the implementation plan is \$45,000.00. She said the total cost of the project depends on how much the county wants to do. **MOTION** by Sullivan second by Raymond to approve \$3,000.00 for writing the application as long as the committee controls it. **MOTION CARRIED.** States Attorney Brandmeyer will look at the contract and bring it back at the October meeting.

MOTION by Robbins second by Lampe to adjourn the meeting. **MOTION CARRIED.**

Herb Pingsterhaus
County Board Chairman

Attest:

Thomas LaCaze, County Clerk

ORDINANCE # 09-02-01

AN ORDINANCE AUTHORIZING THE ISSUANCE BY THE COUNTY OF CLINTON, ILLINOIS, OF GENERAL OBLIGATION SELF-INSURANCE REFUNDING BONDS, SERIES 2002, TO REFINANCE THE COUNTY'S PORTION OF CONTINUING COSTS OF ESTABLISHING A JOINT SELF-INSURANCE PROGRAM WITH OTHER ILLINOIS COUNTIES PURSUANT TO THE ILLINOIS COUNTY INSURANCE TRUST: FIXING THE DETAILS OF SUCH BONDS AND LEVYING A DIRECT ANNUAL TAX TO PAY THE INTEREST ON AND PRINCIPAL OF SUCH BONDS; AND RELATED MATTERS.

WHEREAS, pursuant to the Local Governmental and governmental Employees Tort Immunity Act (745ILCS 10/1-101 et seq.), the Intergovernmental Cooperation Act (5ILCS 220/1 et seq.), the Counties Code (55ILCS 5/1-1 et seq.) and Section 10 (Intergovernmental Cooperation) of Article VII (Local Government) of the Constitution of the State of Illinois (collectively, as supplemental and amended, including by the Registered Bond Act, the Bond Replacement Act, the Bond Authorization Act and the Local Government Debt Reform Act, the "Acts"), The County of Clinton (hereinafter referred to as the "County"), is authorized to issue its general obligation bonds to finance and refinance the costs of and to create reserves for the payment of the costs in individually or jointly self-insuring against certain liabilities and risks or purchasing insurance policies for such purposes; and

WHEREAS, there has been presented before this meeting of the County Board of the County a Trust Agreement (Third Amended and Restated) dated as of July 1, 1990 (with a term extended to September 15, 2021, the "Trust Agreement"), by and among the Counties of Bond, Christina, Clinton, Cumberland, Edwards, Jersey, Monroe, Randolph and Williamson, Illinois (including the County, the "Members"), and the Trustees indentified therein (the "Trustees"), establishing the Illinois County Insurance Trust ("ICIT"), of which the County is a Member; and

WHEREAS, the Trust Agreement establishes a trust for the benefit of the Members for the purpose of pooling the resources described therein to provide joint self-insurance and to purchase insurance policies as permitted by the Acts (the "Trust") and, among other things, establishes an Initial Contribution Fund (the "Initial Contribution Fund") to be funded with the net proceeds of general obligation self-insurance bonds issued or to be issued by each of the Members; and

WHEREAS, an insurance consultant has advised the County and the other Members that, based upon the loss histories of the Members and other relevant factors, and without making any statement or representation as to the sufficiency of such contributions for its intended purposes, the County's contribution to the Initial Contribution Fund in an amount equal to the net proceeds of the hereinafter described Prior Bonds would not be excessive and would, but without making any representation as to actual sufficiency, provide a reasonable minimal reserve for the coverage of reasonable anticipated losses, claims and costs to be paid pursuant to the Trust Agreement; and

WHEREAS, pursuant to this ordinance the County intends to issue its General Obligation Self-Insurance Refunding Bonds, Series 2002, in the principal amount of \$400,000 (the "Bonds"), to refinance its contributions to the Initial Contribution Fund as well as to pay costs of issuing such Bonds, including a discount to the underwriter thereof, by refunding the County's outstanding General Obligation Self-Insurance Refunding Bonds, Series 1992 (the "Prior Bonds"), by funding an Escrow Account (the "Escrow Account" under an Escrow Agreement (the "Escrow Agreement") with Germantown Trust & Savings Bank, as Escrow Agent (the "Escrow Agent")); and

WHEREAS, there has been presented before this meeting of the County Board a Bond Purchase Agreement (the "Bond Purchase Agreement") to be entered into by and between the County and Bernardi Securities, Inc., with its principal office in Chicago, Illinois (the "Underwriter"), pursuant to which the Underwriter offers to purchase the Bonds at the price and bearing interest at the rates set forth in this ordinance and as described in the Official Statement (the "Official Statement"), related to the Bonds, which is excepted from the continuing disclosure requirements of Rule 15c2-12 of the Securities and Exchange Commission; and

WHEREAS, it is proper and in the best interests of the County and for the public safety, benefit and welfare of its inhabitants to issue the Bonds to fund the Escrow Account to refund the Prior Bonds, and the continued participation in the Trust is a matter pertaining to the government and affairs of the County under the Acts; and

WHEREAS, this County Board does now find that it is necessary and advisable that the Bonds be issued and delivered, among other things, to effect the objects and purposes of this ordinance and

the Trust; and

WHEREAS, to facilitate reference, this ordinance is set out in sections, with captions which shall not define or limit the provision hereof, as follows:

Preambles.... Page 1, Section 1 - Authority, Purpose and Terms, Section 2 - Payment, Section 3 - Transfer, Exchange and Registration, Section 4 - Temporary Bonds, Section 5 - Mutilated or Lost Bonds, Section 6 - Disposition of Paid Bonds, Section 7 - Execution of Bonds, Section 8 - Authentication of Bonds, Section 9 - Form of Bonds, Section 10 - Levy and Extension of Taxes, Section 11 - File Ordinance with County Clerk, Section 12 - Remittance to Paying Agent, Section 13 - Discharge of Liability, Section 14 - Duties of a Bond Registrar, Section 15 - Ordinance a Contract; Amendments, Section 16 - Consents and Approvals, Section 17 - Purchase Agreement, Escrow Agreement, and Official Statement, Section 18 - Registrar and Paying Agent, Section 19 - Debt Service Fund, Section 20 - Deposit of Funds, Section 21 - Non-Arbitrage and Rebate, Section 22 - Non Qualified Tax-Exempt Obligations, Section 23 - Publication.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF THE COUNTY OF CLINTON, ILLINOIS, as follows:

Section 1. Authority, Purpose and Terms. In order to provide funds to refinance the County's share of its Initial Contributions to the Illinois Counties Insurance Trust and related costs and expenses, pursuant to and in accordance with the Acts there are hereby authorized and ordered to be prepared and issued the County's **General Obligation Self-Insurance Refunding Bonds, Series 2002**, in the aggregate principal amount of \$400,000 (the "**Bonds**") and that the Bonds shall have certain terms and provisions, as follows:

(a) **Date.** The Bonds shall be dated September 15, 2002 (or after such date and as of and before the date of issuance and delivery thereof as the Underwriter agrees or accepts).

(b) **Interest Payments.** The Bonds shall bear interest from their dated date (or from the most recent payment date to which interest has been paid, as the case may be), payable semiannually on each March 15 and September 15, commencing on March 15, 2003, until the principal thereof shall have been fully paid, computed on the basis of a 360-day year of twelve 30-day months. Interest to accrue on the Bonds on and prior to the respective maturity dates thereof shall be payable in lawful money of the United States of America by check or draft of the Paying Agent (as hereinafter defined) mailed to the registered owners of such Bonds as their names and addresses appear on the registration books maintained by the Bond Registrar (as hereinafter defined) as of the close of business on the last day (whether or not a business day) of the calendar month next preceding the applicable interest payment date, and no interest shall accrue on any Bond after the respective maturity dates thereof unless such Bond shall be duly presented for payment at the principal corporate trust office of the Bond Registrar and be not paid.

(c) **Denominations.** The Bonds shall be of the denominations of five Thousand Dollars (\$5,000) or any integral multiple thereof not exceeding the aggregate principal amount of the Bonds maturing in any year, and not previously retired.

(d) **Principal Payment.** The bonds shall be payable as to principal at maturity in lawful money of the United States of America upon presentation and surrender thereof at the offices of the Paying Agent, Germantown Trust & Savings Bank (including its successors, as applicable, the "**Bond Registrar**" and "**Paying Agent**"), through its principal corporate trust office in Germantown, Illinois.

(e) **Maturities and Interest Rates.** The bonds shall bear interest at the rates per annum and mature on September 15 in each of the years and in the amount in each year, as follows:
2003 - 130,000 @ 2.20%; 2004 - 135,000 @ 2.60%; 2005 - 135,000 @ 2.80%

(f) **Redemption.** The Bonds shall subject to redemption and prepayment prior to and in any order of maturity designated by the County (but in inverse order if none is designated) at the option of the County, in whole at any time or in part (if in part, in integral multiples of \$5,000) on any interest payment date as specified in a Bond order, at a redemption price equal to the principal amount of Bonds being redeemed together with accrued interest to the date fixed for redemption, but only as specified in a Bond Order, and not otherwise.

Bonds maturing on September 15 of the years set forth in a Bond Order (if any, the "**Term Bonds**") are subject to mandatory sinking fund redemption in the principal amount of September 15 of the years as set forth herein or otherwise as shall be specified in a Bond Order, and not otherwise.

At its option before the 45th day (or such lesser time acceptable to the Bond Registrar) next

preceding any mandatory sinking fund redemption date in connection with Term Bonds the County by furnishing the Bond Registrar and the Paying Agent an appropriate certificate of direction and authorization executed by the County Board Chairman or County Treasurer may: (i) deliver to the Bond Registrar for cancellation Term Bonds in any authorized aggregate principal amount desired; or (ii) furnish the Paying agent funds for the purpose of purchasing any of such Term Bonds as arranged by the Issuer; or (iii) receive a credit (not previously given) with respect to the mandatory sinking fund redemption obligation for such Term Bonds which prior to such date have been redeemed and canceled. Each such Bond so delivered, previously purchased or redeemed shall be credited at 100% of the principal amount thereof, and any excess shall be credited with regard to future mandatory sinking fund redemption obligations for such Bonds in chronological order, and the principal amount of Bonds to be so redeemed as provided shall be accordingly reduced. In the event Bonds being so redeemed are in a denomination greater than \$5,000 a portion of such Bonds may be so redeemed, but such portion shall be in the principal amount of \$5,000 each or any authorized integral multiple thereof.

If less than all the bonds are called for redemption and prepayment, they shall be called in inverse order of maturity and by lot within each maturity, with each \$5,000 principal amount of face value being subject to call as a separate unit, in such manner as the Bond Registrar shall determine.

(g) **Redemption Notice.** With notice to the Bond Registrar by the County 45 days before the applicable redemption date (which shall not be required for Term Bond redemption), or such lesser notice acceptable to the Bond Registrar, written notice of the County's exercise of its option to redeem and prepay any or all of the Bonds shall be given by the Bond Registrar by first class mail to the registered owner of each Bond to be redeemed at such registered owner's address appearing on the registration books of the County with respect thereto. The date of the mailing of such notice shall be not more than sixty (60) and not less than thirty (30) days prior to the date of redemption, and any such notice shall designate the date and place of redemption of the Bonds, which shall be the principal corporate trust office of the Paying Agent, in Germantown, Illinois, shall designate the numbers of the Bonds or portions thereof to be redeemed and the aggregate principal amount of Bonds to be redeemed, and shall indicate that on the designated date of redemption such bonds will be redeemed by payment of the principal thereof, premium, if any, and accrued interest thereon, and that from and after the designated redemption date interest in respect of the Bonds so called for redemption shall cease to accrue, provided that funds are then available for their payment.

In addition to the foregoing notice set forth above, further notice shall be given by the Bond Registrar on behalf of the County as set out below, but no defect in such further notice nor any failure to give all or any portion of such further notice shall in any manner defeat the effectiveness of a call for redemption if notice thereof is given as above prescribed. Each further notice of redemption given hereunder shall contain the information required above for an official notice of redemption plus (a) the CUSIP numbers of all Bonds being redeemed; (b) the date of issue of the Bonds as originally issued; (c) the rate of interest borne by each Bond being redeemed; (d) the maturity date of each Bond begin redeemed; and (e) any other descriptive information needed to identify accurately the Bonds being redeemed.

Each further notice of redemption shall be sent at least thirty-five (35) days before the redemption date by registered or certified or overnight delivery service to all registered securities depositories then in the business of holding substantial amounts of obligations of types comprising the Bonds and to one or more national information services, chosen in the discretion of the Bond Registrar, that disseminate notice of redemption of obligations such as the Bonds.

Upon payment of the redemption price of Bonds being redeemed, each check or other transfer of funds issued for such purpose shall identify the Bond or Bonds, or portion thereof, being redeemed with the proceeds of such check or other transfer.

If any Bond or portion of Bond called for redemption shall not be so paid upon surrender thereof for redemption, the principal, and premium, if any, shall, until paid, bear interest from the redemption date at the rate borne by the Bond or portion of such Bond so called for redemption. All bonds which have been redeemed shall be canceled and destroyed by the Bond Registrar and shall not be reissued.

(h) **Bond Order.** The Bonds shall bear interest at such rates, and interest shall be payable on the dates, mature in the principal amount in each year, but not exceeding the aggregate principal amount of the Bonds, if different than as set forth above, and have such other terms and provisions different than or supplemental to those provided herein, and have such other terms and provisions, as

set forth in a Bond Order, and not otherwise provided the tax levies in Section 10 are not exceeded. For purposes of the foregoing and otherwise in this ordinance, the term "Bond Order" shall mean a certificate signed by the Chairman or Vice-Chairman of the County Board or the County Treasurer, and attested by the County Clerk and under the seal of the County, setting forth and specifying details of the Bonds, including, as the case may be, provisions with respect to the tax-exempt or taxable status of a particular series of Bonds, final interest rates, optional and mandatory call provisions, bond insurance provisions and the designation of a bond insurer (if any, the "Insurer") and a bond insurance policy or other credit facility (the "Policy") the designation of a Bond Registrar and Paying Agent and Escrow Agent, and the final maturity schedule, pursuant to this ordinance.

Section 2. Payment.	Section 3. Transfer, Exchange, and Registration.	Section 4. Temporary Bonds
Section 5. Mutilated or Lost Bonds	Section 6. Disposition of Paid Bonds	Section 7. Execution of Bonds
Section 8. Authentication of Bonds	Section 9. Form of Bonds	Section 10. Levy and Extension of Taxes
Section 11. File Ordinance with County Clerk	Section 12. Remittance to Paying Agent	Section 13. Discharge of Liability
Section 14. Duties of Bond Registrar	Section 15. Ordinance a Contract; Amendments	Section 16. Consents and Approvals
Section 17. Purchase Agreement, Escrow Agreement and Official Statement	Section 18. Registrar and Paying Agent	Section 19. Debt Service Fund
Section 20. Deposit of Funds	Section 21. Non-Arbitrage and Rebate	Section 22. Qualified Tax-Exempt Obligations
Section 23. Publication		

Upon motion by Jack Taylor second by David Lampe adopted this 16th day of September, 2002, by roll call vote as follows:

Voting "aye" - Droege, Hitpas, Kehrer, Kloeckner, Lampe, Mensing, Murray, Raymond, Robbins, Sullivan, Craig Taylor, Jack Taylor, Winkler.

Voting "nay" - None

Absent - Holtgrave

SEAL

S/ Thomas LaCaze, as *ex-officio* Board Clerk S/ Herb Pingsterhaus, Chairman

#09-02-02

WHEREAS, quotes were received at a letting held on September 10, 2002 at 2:00 p.m. for the purchase of concrete; and

WHEREAS, quotes were received and considered by the County Engineer and the Highway Committee,

NOW, THEREFORE, BE IT RESOLVED, that from quotes submitted the County Engineer is hereby authorized to purchase concrete from:

Beelman Ready Mix, 8200 Old US Highway 50, Breese, IL 62230

Amount: \$53.40 per cubic yard

BE IT FURTHER RESOLVED that the County Clerk be and is hereby authorized and instructed to furnish the County Engineer with two (2) certified copies of this resolution.

State of Illinois)

County of Clinton)

I, Thomas LaCaze, County Clerk of Clinton County, do hereby certify that this is a true and correct copy of a Resolution approved and adopted at the regular meeting of the Clinton County Board held on September 16, 2002, at Carlyle, Illinois

Given under my hand and seal this 16th day of September, 2002.

SEAL

S/ Thomas LaCaze, County Clerk & Recorder